

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jessica Russo	Team: Squad #10	CCRB Case #: 202102554	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 04/10/2021 5:00 PM	Location of Incident: 200 West 96th Street	18 Mo. SOL 10/10/2022	Precinct: 24		
Date/Time CV Reported Sat, 04/10/2021 7:22 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/26/2021 10:57 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT William Dooley	00905	951689	NARCBMN
2. DT3 Michael Dalia	02310	954693	INT CIS

Officer(s)	Allegation	Investigator Recommendation
A.SGT William Dooley	Abuse: Sergeant William Dooley stopped the vehicle in which § 87(2)(b) § 87(2)(b) and § 87(2)(b) were occupants.	
B.DT3 Michael Dalia	Abuse: Detective Michael Dalia stopped the vehicle in which § 87(2)(b) § 87(2)(b) and § 87(2)(b) were occupants.	
C.SGT William Dooley	Abuse: Sergeant William Dooley frisked § 87(2)(b)	
D.SGT William Dooley	Abuse: Sergeant William Dooley searched § 87(2)(b) property.	
E.DT3 Michael Dalia	Abuse: Police Officer Michael Dalia interfered with § 87(2)(b) use of a recording device.	
F.DT3 Michael Dalia	Abuse: Detective Michael Dalia frisked § 87(2)(b)	
G.DT3 Michael Dalia	Abuse: Detective Michael Dalia searched § 87(2)(b)	
H.DT3 Michael Dalia	Abuse: Detective Michael Dalia frisked § 87(2)(b)	
I.SGT William Dooley	Abuse: Sergeant William Dooley searched the vehicle in which § 87(2)(b) § 87(2)(b) and § 87(2)(b) were occupants.	
J.SGT William Dooley	Abuse: Sergeant William Dooley frisked § 87(2)(b)	
K.SGT William Dooley	Abuse: Sergeant William Dooley searched § 87(2)(b)	
L.SGT William Dooley	Abuse: Sergeant William Dooley frisked § 87(2)(b)	
M.SGT William Dooley	Abuse: Sergeant William Dooley searched § 87(2)(b)	
N.DT3 Michael Dalia	Abuse: Detective Michael Dalia refused to provide his shield number to § 87(2)(b)	
O.DT3 Michael Dalia	Abuse: Detective Michael Dalia refused to provide his name to § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
P.DT3 Michael Dalia	Abuse: Detective Michael Dalia refused to provide his shield number to § 87(2)(b)	
Q.DT3 Michael Dalia	Abuse: Detective Michael Dalia refused to provide his name to § 87(2)(b)	
R.SGT William Dooley	Abuse: Sergeant William Dooley failed to provide § 87(2)(b) with a business card.	
S.DT3 Michael Dalia	Abuse: Detective Michael Dalia failed to provide § 87(2)(b) with a business card.	
T.SGT William Dooley	Abuse: Sergeant William Dooley failed to provide § 87(2)(b) with a business card.	
U.DT3 Michael Dalia	Abuse: Detective Michael Dalia failed to provide § 87(2)(b) with a business card.	
V.SGT William Dooley	Abuse: Sergeant William Dooley failed to provide § 87(2)(b) with a business card.	
W.DT3 Michael Dalia	Abuse: Detective Michael Dalia failed to provide § 87(2)(b) with a business card.	
§ 87(2)(g), § 87(4-b)		
§ 87(2)(g), § 87(4-b)		

Case Summary

On April 10, 2021, § 87(2)(b) filed this complaint with the Internal Affairs Bureau, on behalf of her godson—§ 87(2)(b). On April 26, 2021, the CCRB received this complaint.

On April 10, 2021, at approximately 5 p.m., § 87(2)(b) and § 87(2)(b) were in a vehicle that was stopped by the police on 200 West 96th Street in Manhattan (**Allegations A and B: Abuse of Authority-Vehicle Stop**, § 87(2)(g) Sergeant William Dooley, of Manhattan North Narcotics, and Detective Michael Dalia, of the Intel Criminal Section, approached § 87(2)(b) vehicle. Sgt. Dooley asked § 87(2)(b) to step out, after which he allegedly frisked and searched his person (**Allegation C: Abuse of Authority-Frisk**, § 87(2)(g) (**Allegation D: Abuse of Authority-Search of Person**, § 87(2)(g) Det. Dalia asked § 87(2)(b) to step out of the vehicle, where he allegedly prevented § 87(2)(b) from recording (**Allegation E: Abuse of Authority-Interference with a Recording Device**, § 87(2)(g) Det. Dalia frisked § 87(2)(b) and § 87(2)(b) and, allegedly, searched their persons (**Allegation F: Abuse of Authority-Frisk**, § 87(2)(g) (**Allegation G: Abuse of Authority-Search of Person**, § 87(2)(g) (**Allegation H: Abuse of Authority-Frisk**, § 87(2)(g)

Sgt. Dooley conducted a search of § 87(2)(b) vehicle (**Allegation I: Abuse of Authority-Vehicle Search**, § 87(2)(g) Upon concluding the search, Sgt. Dooley allegedly frisked and searched § 87(2)(b) and § 87(2)(b) (**Allegation J: Abuse of Authority-Frisk**, § 87(2)(g) (**Allegation K: Abuse of Authority-Search of Person**, § 87(2)(g) (**Allegation L: Abuse of Authority-Frisk**, § 87(2)(g) (**Allegation M: Abuse of Authority-Search of Person**, § 87(2)(g) § 87(2)(b) and § 87(2)(b) allegedly requested Sgt. Williams' and Det. Dalia's names and shield numbers. Det. Dalia allegedly did not provide his name or shield (**Allegation N: Abuse of Authority-Refusal to Provide Name**, § 87(2)(g) (**Allegation O: Abuse of Authority-Refusal to Provide Shield**, § 87(2)(g) (**Allegation P: Abuse of Authority-Refusal to Provide Name**, § 87(2)(g) (**Allegation Q: Abuse of Authority-Refusal to Provide Shield**, § 87(2)(g)

The officers released the three males without a summons. Prior to leaving the scene, neither Sgt. Dooley nor Det. Dalia provided any of the males with business cards and did not have any business cards on their persons (**Allegation R: Abuse of Authority-Failure to Provide Right to Know Act Card**, § 87(2)(g) (**Allegation S: Abuse of Authority-Failure to Provide Right to Know Act Card**, § 87(2)(g) (**Allegations T, U, V, and W: Abuse of Authority-Failure to Provide Right to Know Act Card**, § 87(2)(g) § 87(2)(g), § 87(4-b)

There were no summonses issued or arrests made as a result of this incident.

There was no video footage capturing this incident.

§ 87(2)(g), § 87(4-b)

Findings and Recommendations

Allegation (A) Abuse of Authority: Sergeant William Dooley stopped the vehicle in which

§ 87(2)(b) and § 87(2)(b) were occupants.

Allegation (B) Abuse of Authority: Detective Michael Dalia stopped the vehicle in which

§ 87(2)(b) and § 87(2)(b) were occupants.

§ 87(2)(b) did not cooperate with conducting an interview.

§ 87(2)(b) (BR01) testified that he, § 87(2)(b) and § 87(2)(b) were parked near a jewelry store on 200 West 96th Street for about two minutes when they were approached by three

police officers. The vehicle belonged to § 87(2)(b) and it was off. The vehicle did not have tinted windows. Sgt. Dooley approached § 87(2)(b) on the driver's side and informed him that they were stopped because of an issue with the brake lights. Given that the vehicle was off, § 87(2)(b) questioned how the officers noticed the alleged infraction. § 87(2)(b) testified that he took a video of the vehicle's brakes at the end of the incident, which indicated that they were working properly, but § 87(2)(b) did not cooperate with providing this video to the investigation. § 87(2)(b) testimony (BR02) was consistent with § 87(2)(b) regarding what they were doing and the condition of the vehicle prior to the officers' approach. He did not testify that the officers explained the reason for the stop. Conversely to § 87(2)(b) statement, § 87(2)(b) stated that § 87(2)(b) took a video of the brake lights to show that nothing was wrong with them.

Sgt. Dooley (BR03) testified that he observed defective taillights on § 87(2)(b) vehicle, which was in motion. That was the sole reason for the stop. Sgt. Dooley did not mention a fake license plate. At the end of the incident, Sgt. Dooley instructed § 87(2)(b) to get the taillight fixed and released the occupants without any summonses.

Det. Dalia (BR04) testified that he and Sgt. Dooley observed § 87(2)(b) vehicle with two defective brake lights, a "fake" paper license plate, and heavily tinted windows. Det. Dalia stated that the vehicle's license plate was using the same paper and font as fraudulent New Jersey license plates that were being investigated at the time of this incident. Both officers decided to stop the vehicle and followed it when the light turned green. They did not issue any summonses for the noted infractions due to the respectful exchange with the occupants of the vehicle.

The officers had conflicting statements regarding the traffic violations that led to the stop, while the civilians had consistent statements regarding the absence of any violations. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Allegation (C) Abuse of Authority: Sergeant William Dooley frisked § 87(2)(b)

Allegation (D) Abuse of Authority: Sergeant William Dooley searched § 87(2)(b) property.

Allegation (E) Abuse of Authority: Detective Michael Dalia frisked § 87(2)(b)

Allegation (G) Abuse of Authority: Detective Michael Dalia searched § 87(2)(b)

Allegation (H) Abuse of Authority: Detective Michael Dalia frisked § 87(2)(b)

Allegation (I) Abuse of Authority: Sergeant William Dooley searched the vehicle in which

§ 87(2)(b) and § 87(2)(b) were occupants.

Allegation (J) Abuse of Authority: Sergeant William Dooley frisked § 87(2)(b)

Allegation (K) Abuse of Authority: Sergeant William Dooley searched § 87(2)(b)

Allegation (L) Abuse of Authority: Sergeant William Dooley frisked § 87(2)(b)

Allegation (M) Abuse of Authority: Sergeant William Dooley searched § 87(2)(b)

§ 87(2)(b) did not cooperate with providing a statement to the investigation.

§ 87(2)(b) (BR01) observed three officers on scene. Upon § 87(2)(b) exit of the vehicle, § 87(2)(b) did not observe Sgt. Dooley frisking or searching § 87(2)(b) as he was still in the vehicle. Sgt. Dooley asked § 87(2)(b) if the officers could search the vehicle. § 87(2)(b) responded, "no". While § 87(2)(b) was still inside of the vehicle, Det. Dalia entered the passenger side and began searching the vehicle. He looked through a blue MCM book bag that was on the floor of the passenger side. Det. Dalia looked through the cup holders near the center console. Another officer told § 87(2)(b) to step out during the search; therefore, he did not see the full extent of Det. Dalia's search. An officer—not Sgt. Dooley or Det. Dalia—asked § 87(2)(b) to step out of the vehicle and frisked him. The officer patted down § 87(2)(b) upper body, his waist, his legs, and underneath his crotch. The officer did not go into § 87(2)(b) pockets. The officer did

not request consent to frisk him. § 87(2)(b) did not testify that § 87(2)(b) was frisked or searched upon his exit of the vehicle. Toward the end of the incident, while § 87(2)(b) was at the rear of the vehicle, Sgt. Dooley frisked his body and entered his left sweatpants pocket, where § 87(2)(b) had “a lot” of money. Sgt. Dooley made a comment about the money, along the lines of “Y’all have a lot of money these days.” § 87(2)(b) was aware that Sgt. Dooley searched § 87(2)(b) as well, but he did not see it.

§ 87(2)(b) (**BR02**) also testified that there were three officers on scene. When § 87(2)(b) stepped out of the vehicle, § 87(2)(b) observed Sgt. Dooley patting down § 87(2)(b) front and back pants pockets, as well as underneath his crotch. § 87(2)(b) believed that Sgt. Dooley went into § 87(2)(b) pockets because he saw Sgt. Dooley holding § 87(2)(b) keys, which were previously in § 87(2)(b) pocket. § 87(2)(b) did not believe Sgt. Dooley took anything else out of § 87(2)(b) pockets. Det. Dalia asked § 87(2)(b) to step out the vehicle, at which point he told § 87(2)(b) to place his hands on the vehicle. Det. Dalia patted down § 87(2)(b) two sweatpants’ pockets, his two sweater pockets, as well as his crotch area. Det. Dalia went inside of § 87(2)(b) pants pockets and turned them inside out. § 87(2)(b) did not have anything inside of his pockets. Det. Dalia did not request consent to search. Prior to § 87(2)(b) stepping out of the vehicle, Det. Dalia began searching the vehicle. He looked inside of a book bag in the front passenger seat, as well as the area around the passenger seat, the driver’s seat area, the glove compartment, the center console, inside of § 87(2)(b) backpack, which was in the back seat, and underneath the seats in the rear. Det. Dalia did not recover anything from the vehicle. After the search, Sgt. Dooley mentioned that § 87(2)(b) gave the officers permission to search the vehicle, which § 87(2)(b) denied. None of the officers requested permission to search or provided a reason for the search. An officer, who was not Det. Dalia or Sgt. Dooley, told § 87(2)(b) to step out of the vehicle. The officer patted down § 87(2)(b) sweatpants pockets, as well as his crotch. § 87(2)(b) did not see the officer enter § 87(2)(b) pockets. Toward the end of the incident, the third officer on scene—neither Sgt. Dooley nor Det. Dalia—conducted a second “search”—a pat down and entry of pockets—of § 87(2)(b) and § 87(2)(b) persons.

Sgt. Dooley (**BR03**) testified that he and Det. Dalia were the only two officers on scene. They were patrolling the area around this incident location given that there was a rise in robberies, shootings, and burglaries in the area. They observed a defective brake light on § 87(2)(b) vehicle, which was the sole reason for the stop. Upon their approach, § 87(2)(b) stepped out of the vehicle to look at the allegedly defective taillight. Once he stepped out, § 87(2)(b) offered to let the officers search the vehicle. Sgt. Dooley frisked § 87(2)(b) for safety purposes, given that it is uncertain what weapons an individual could carry in their vehicle. Sgt. Dooley did not observe any indication of a weapon on § 87(2)(b) person or inside of his car prior to the frisk. He patted down anywhere a weapon could be, including his pants and jacket pockets. Sgt. Dooley did not remember patting down any other part of his body, including § 87(2)(b) legs or waistband. Sgt. Dooley did not enter any of § 87(2)(b) pockets. He did not recover anything from the frisk. § 87(2)(b) did not protest the frisk. Sgt. Dooley was aware that the passengers were frisked for safety purposes, but he did not remember who frisked them or where they were frisked. He did not mention the passengers offering to allow Det. Dalia to frisk them. Sgt. Dooley did not complete a consent to search form or articulate any circumstances that provided founded suspicion of criminal activity. He did not inform § 87(2)(b) that he could decline consent to search. Sgt. Dooley conducted a “quick” look in the car. He searched through the glove compartment and center console, as well as under each seat in the vehicle and on the floorboards. He looked around the backseat, the driver’s seat, and any “grabbable” area. Sgt. Dooley did not remember any belongings—backpacks or jackets—inside of the vehicle that he looked through. He did not recall encountering a bag with money inside.

Det. Dalia (**BR04**) also testified that he and Sgt. Dooley were the only officers involved in this stop and that they were patrolling the area due to a rise in robberies, including narcotics-related

robberies, in the 24th Precinct. Det. Dalia observed multiple vehicle infractions—fraudulent license plate, tinted windows, and defective brake light—which led to the initial stop. Upon § 87(2)(b) exit of the vehicle, Det. Dalia did not see if Sgt. Dooley searched or frisked him. § 87(2)(b) stated that the officers could search the vehicle. When Det. Dalia approached the passenger side of the vehicle, he noticed a large amount of currency neatly laid out in the back seat. Given his experience with large sums of money, Det. Dalia estimated the currency to equal about \$7,000 to \$10,000. Det. Dalia asked about the money and none of the passengers claimed possession of the money or provided any proof of where it came from, which raised Det. Dalia's suspicion. § 87(2)(b) and § 87(2)(b) stepped out of the vehicle and told Det. Dalia that he could "search them". Det. Dalia informed them that he only needed to conduct a frisk for safety purposes. The safety concerns involved the officer to civilian ratio since Sgt. Dooley was occupied and unable to help. Det. Dalia conducted an outer frisk of § 87(2)(b) and § 87(2)(b) persons—including their torso, legs, waistbands, and pockets. He did not enter either of their pockets. Det. Dalia frisked them, given their consent and for safety purposes; the safety purposes being that there were three occupants and only one officer—Det. Dalia—at the rear with them. Det. Dalia did not see Sgt. Dooley frisk or search any civilians on scene. Det. Dalia denied searching the vehicle but observed at least \$7,000 worth of currency in the back seat prior to his search of the vehicle.

The investigation was unable to find any documentation that placed another officer, aside from Sgt. Dooley and Det. Dalia, on scene. There were no specific EVENT materials regarding this incident (**BR06**), and the only stop report prepared around the time and location of this incident was unrelated (**BR07**).

People v. Robinson, 125 A.D.2d 259 (1st Dept., 1986) found that an officer, who has stopped a person based on a reasonable suspicion of criminality and has reason to believe they are dealing with an armed and dangerous individual, may conduct a protective frisk for weapons of that person. A reasonable intrusion is generally a pat down of the detained person's outer clothing to determine the existence of a weapon. Once the limited intrusion fails to reveal a weapon, the search must stop (**BR05**).

People v. Hodge, 44 N.Y.2d 553 found that voluntary consent to search is a valid substitute for probable cause (**BR08**).

People v. Robbins, 2020 N.Y. found that accusatory questions or requests for consent to search one's vehicle and person cannot be made unless police have a Level 2 founded suspicion that criminal activity is afoot (**BR09**).

Patrol Guide Procedure 212-11 notes that officers can request consent when they have reached a Level 2 encounter. The consent must be voluntary and asked in a way that elicits a clear "yes" or "no" answer. Officers must prepare a common law right of inquiry—consent search form, where they will document the time, location, and date of such request, consent, refusal, and search (if performed), and the pedigree information of the person who was the subject of such request and search. The officer involved in the search or request is required to offer the individual a business card (**BR16**).

New York City Administrative Code 14-173 notes that when obtaining consent to search, the officer(s) must articulate, using plain and simple language delivered in a non-threatening manner, that the person who is the subject of the search is being asked to consent to such search voluntarily, knowingly, and intelligently, and explain that such search will not be conducted if such person refuses to provide consent to such search. The officer(s) must document the time, location, and date of such search, and the apparent race/ethnicity, gender, and age of the person who was the subject of such search, and such officer's name, precinct, and shield number (**BR17**).

Sgt. Dooley did not observe anything on § 87(2)(b) person that indicated he may have been carrying a weapon. Additionally, the currency that Det. Dalia testified was present in the back seat, which Sgt. Dooley did not mention, would not have served as an indication that a weapon was present, or that danger was near. § 87(2)(g)

§ 87(2)(g)

Given that § 87(2)(b) and Det. Dalia did not see Sgt. Dooley and § 87(2)(b) interaction when he stepped out of the vehicle, in addition to Sgt. Dooley and § 87(2)(b) inconsistent statements regarding whether Sgt. Dooley entered § 87(2)(b) pockets, § 87(2)(g)

Det. Dalia testified that § 87(2)(b) and § 87(2)(b) provided him with consent to search, which neither § 87(2)(b) nor § 87(2)(b) testified occurred. § 87(2)(g) Although Det. Dalia articulated that the unclaimed, high value currency increased his suspicion of the activity of the vehicle and its occupants, § 87(2)(g)

Det. Dalia denied entering both § 87(2)(b) and § 87(2)(b) pockets; however, § 87(2)(b) testified that Det. Dalia entered both of his pants pockets. § 87(2)(g)

It was undisputed that Sgt. Dooley searched § 87(2)(b) vehicle. § 87(2)(g)

However, it was undisputed that Sgt. Dooley did not adhere to the protocols set forth in NYC Administrative Code, as well as Patrol Guide, which require an individual to provide consent clearly and voluntarily, with knowledge that the search would not occur absent their consent. Officers are further required to prepare a consent to search form when such voluntary consent is provided. § 87(2)(g)

§ 87(2)(g)

Allegation (E) Abuse of Authority: Police Officer Michael Dalia interfered with § 87(2)(b) use of a recording device.

§ 87(2)(b) testified (BR02) that he had his phone in his hand, searching for the camera app, as he was about to record the incident. § 87(2)(b) believed Det. Dalia observed him intending to

record, which prompted him to open the passenger door of the vehicle and prevent him from recording. Det. Dalia took the phone out of § 87(2)(b) hand and tossed it into the passenger seat of the vehicle.

§ 87(2)(b) testimony (BR01) was consistent with § 87(2)(b) regarding Det. Dalia tossing § 87(2)(b) phone onto the passenger seat. He added that § 87(2)(b) had not started recording or mentioned that he intended to record.

§ 87(2)(b) was not interviewed because he was uncooperative with the investigation.

Det. Dalia (BR04) testified that none of the passengers were recording them. Det. Dalia did not handle any civilians phone at any point. He denied taking the front passenger's phone and throwing it on the seat.

Sgt. Dooley (BR03) did not witness anyone trying to record the incident or take anyone's phone and throw it inside of the car.

§ 87(2)(g)

Allegation (N) Abuse of Authority: Detective Michael Dalia refused to provide his shield number to § 87(2)(b)

Allegation (O) Abuse of Authority: Detective Michael Dalia refused to provide his name to § 87(2)(b)

Allegation (P) Abuse of Authority: Detective Michael Dalia refused to provide his shield number to § 87(2)(b)

Allegation (Q) Abuse of Authority: Detective Michael Dalia refused to provide his name to § 87(2)(b)

It was undisputed that Sgt. Dooley provided his name and shield upon request.

§ 87(2)(b) (BR01) testified that § 87(2)(b) requested the names and shield numbers of Sgt. Dooley and the third officer that removed § 87(2)(b) from the vehicle at the beginning of the incident. Sgt. Dooley provided the information, but the other officer did not. Det. Dalia, who § 87(2)(b) noted was searching the vehicle, was not asked to provide his information.

§ 87(2)(b) (BR02) testified that he collectively asked for the names and shield numbers of all three officers, which he believed they all heard. Sgt. Dooley provided his information. Det. Dalia did not provide his information. The third officer noted provided his name but not his shield number.

§ 87(2)(b) was not interviewed because he was uncooperative with the investigation.

Sgt. Dooley (BR03) testified that he verbally provided his name and shield to § 87(2)(b). Sgt. Dooley believed § 87(2)(b) wrote the information down on his phone, as he had it in his hand. Sgt. Dooley did not witness anyone asking for Det. Dalia's name or shield number. He also did not witness Det. Dalia providing his information to anyone. There were no additional officers on scene.

Det. Dalia (BR04) testified that § 87(2)(b) requested his and Sgt. Dooley's names and shield numbers. Both officers provided § 87(2)(b) with the information, in addition to their commands, which Det. Dalia believed § 87(2)(b) wrote down on his phone. There were no additional officers on scene.

The investigation was unable to find any documentation that placed another officer, aside from Sgt. Dooley and Det. Dalia, on scene. There were no specific EVENT materials regarding this incident (BR06), and the only stop report prepared around the time and location of this incident was unrelated (BR07).

Patrol Guide Procedure 203-09 requires officers to courteously and clearly state their rank, name, shield number and command, or otherwise provide them, to anyone who requests them to do so (BR10).

§ 87(2)(g)

Allegation (R) Abuse of Authority: Sergeant William Dooley failed to provide § 87(2)(b) with a business card.

Allegation (S) Abuse of Authority: Detective Michael Dalia failed to provide § 87(2)(b) with a business card.

Allegation (T) Abuse of Authority: Sergeant William Dooley failed to provide § 87(2)(b) with a business card.

Allegation (U) Abuse of Authority: Detective Michael Dalia failed to provide § 87(2)(b) with a business card.

Allegation (V) Abuse of Authority: Sergeant William Dooley failed to provide § 87(2)(b) with a business card.

Allegation (W) Abuse of Authority: Detective Michael Dalia failed to provide § 87(2)(b) with a business card.

It was undisputed that none of the officers provided a pre-printed business card to any of the civilians during this incident.

§ 87(2)(b) (BR01) and § 87(2)(b) (BR02) testified that none of the occupants asked for the officers' business cards. None of the officers provided business cards. Neither § 87(2)(b) nor § 87(2)(b) mentioned any officer offering to write down their information.

§ 87(2)(b) was not interviewed because he was uncooperative with the investigation.

Sgt. Dooley (BR03) did not have business cards on his person and offered to write down his name and shield number for § 87(2)(b). However, § 87(2)(b) wrote down the information himself on his phone. Sgt. Dooley did not witness Det. Dalia providing anyone with a business card or his information while they were at the rear of the vehicle at the result of the incident.

Det. Dalia (BR04) testified that neither of the officers had business cards on their person. However, both officers provided their names, shield numbers, and commands, which § 87(2)(b) noted on his phone. Det. Dalia believed that § 87(2)(b) jotting the information down was a sufficient alternative to the business card.

New York City Administrative Code 14-174 states that officers must offer a business card to any individual with which they conduct a law enforcement activity, including the frisk or search of a person, at the conclusion of any such activity that does not result in an arrest or summons (BR11).

Patrol Guide Procedure 203-09 states that officers are required to offer pre-printed right to know business card upon the conclusion of law enforcement activities, except in cases when a summons is issued or an arrest is made, or exigent circumstances are present. Officers must offer a generic right to know business card with their information written down if their pre-printed cards become depleted (BR10).

Sgt. Dooley testified that he offered to write down his information for § 87(2)(b) which, according to the Patrol Guide, is appropriate given that Sgt. Dooley did not have pre-printed business cards. § 87(2)(g)

§ 87(2)(g)

Det. Dalia did not provide § 87(2)(b) or § 87(2)(b) with a business card, nor did he offer to write down his information. Similarly, Sgt. Dooley failed to provide a business card or a suitable alternative to § 87(2)(b) and § 87(2)(b) § 87(2)(g)

§ 87(2)(g), § 87(4-b)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR12).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR13).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR14).
- Sergeant William Dooley has been a member of service for 10 years. He has been the subject of four other CCRB complaints and 11 allegations, none of which have been substantiated. § 87(2)(g)
- Detective Michael Dalia has been a member of service for eight years. He has been the subject of two other CCRB complaints and four allegations, none of which have been substantiated. § 87(2)(g)

Mediation, Civil, and Criminal Histories

- This case was not suitable for mediation.
- On April 8, 2022, the investigation received confirmation that neither § 87(2)(b) nor § 87(2)(b) have filed a notice of claim regarding this incident (BR18).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad: 10

Investigator: Jessica Russo
Signature

Inv. Jessica Russo
Print Title & Name

04/01/2022
Date

Squad Leader:	<u>Eric Rigie</u>	<u>IM Eric Rigie</u>	<u>6/1/2022</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date